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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,585	12/28/2000	Ross Suydam Heitkamp	0023-0003	4840

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EXAMINER

HUYNH, KIM T

ART UNIT

PAPER NUMBER

2189

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/749,585

Applicant(s)

HEITKAMP, ROSS SUYDAM

Examiner

Kim T. Huynh

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Kondo et al. (Pub. No. US 2003/0084218)

a. As per claims 1,8, 9,17,18, 23, 27, Kondo discloses a system for selecting bus mastership in a multi-master system, comprising:

- a plurality of master devices configured to generate control signals relating to bus mastership in the multi-master system; and ([0014] wherein modules devices)
- at least one slave device configured to receive the control signals from the master devices, determine whether a conflict exists exits based on the control signals, generate one or more alternate control signals for selecting bus mastership when a conflict is determined to exist, and select bus mastership using the one or more alternate control signals. [0015], [0037]

- b. As per claims 2, 11, Kondo discloses wherein at least one slave device comprises bus selection logic configured to determine whether the control signals indicate that two or more of the master devices concurrently assert bus mastership and generate a conflict indication signal when two or more of the master devices concurrently assert bus mastership, and conflict resolution logic configured to generate the one or more alternate control signals in response to the conflict indication signal. ([0008], [0037], [0047], [0052], wherein request access simultaneously, arbiter return with status whether valid, error, busy or retry)
- c. As per claims 3, 12, 19, Kondo discloses wherein the one or more alternate control signals include a bus switch signal that indicates whether a change in bus mastership is to occur and a bus select signal that indicates which of the master devices is to be granted bus mastership. [0037]
- d. As per claims 4, 13, Kondo discloses wherein the at least one slave device includes bus selection logic configured to determine whether the control signals indicate that none of the master devices asserts bus mastership and maintain a previous bus mastership selection when none of the master device asserts bus mastership. [0037]
- e. As per claims 5, 14, Kondo discloses wherein the at least one slave device is further configured to select the bus mastership based on the control signals when no conflict is determined to exist. [0036], [0037]

- f. As per claims 6, 20, 25, Kondo discloses wherein the control signals include a master signal that indicates whether a corresponding one of the master devices asserts bus mastership. [0037]
- g. As per claims 7, 21, 26, Kondo discloses wherein the control signals include a master signal that indicates whether a corresponding one of the master devices asserts bus mastership. [0037]
- h. As per claim 15, Kondo discloses wherein the control signals include a present signal that indicates whether a corresponding bus is operating and a master signal that indicates whether a corresponding bus is to be used. [0037]
- i. As per claim 16, Kondo discloses wherein the control signals include a master signal that indicates whether a corresponding bus is to be used. [0037]
- j. As per claim 21, Kondo discloses wherein the bus selection logic is further configured to select the bus mastership using the control signals when the control signals indicate that one of the master devices asserts bus mastership. [0037]
- k. As per claim 24, Kondo discloses wherein the one or more alternate control signals include a bus switch signal that indicates whether a change in bus mastership is to occur and a bus select signal that indicates which of the master devices is to be granted bus mastership. [0037]
- l. As per claim 28, Kondo discloses a multi-bus system, comprising:
- a plurality of busses; [0035]

- a plurality of master devices corresponding to the buses, each of the master devices controlling a corresponding one of the buses, the master devices generating control signals that indicate which of the buses is an active bus; and [0014],[0037]
  - a plurality of slave devices connected to each of the buses and configured to receive the control signals, determine whether the control signals indicate that two or more of the buses are declared active buses, and select one of the buses when the control signals indicate that two or more of the buses are declared active buses. [0014],[0035], [0037]
- m. As per claim 29, Kondo discloses wherein the slave devices are further configured to generate alternate control signals when the control signals indicate that two or more of the buses are declared active buses and select of the buses using the alternate control signals. [0037]
- n. As per claim 30, Kondo discloses wherein the slave devices are further configured to generate alternate control signals when the control signals indicate that two or more of the buses are declared active buses and select one of the buses using the alternate control signals. [0037]
- o. As per claim 31, Kondo discloses wherein the slave devices are configured to select one of the buses using the alternate control signals. [0037]

### **Conclusion**

3. *A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) months from the mailing date of this*

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*communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) months from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C 133).*

*Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).*

4. *Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Huynh whose telephone number is (703)305-5384 or via e-mail addressed to [kim.huynh3@uspto.gov]. The examiner can normally be reached on M-F 8:30AM- 6:30PM.*

*If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815 or via e-mail addressed to [mark.rinehart@uspto.gov]. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7249 for regular communications and (703)746-7238 for After Final communications.*

*Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-5631.*

Kim Huynh

July 10, 2003



MARK H. RINEHART  
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